

BARRY J. PORTMAN  
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Counsel for Defendant LEONARD DEW

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	No. 4-08-70488 WDB
	)	
Plaintiff,	)	STIPULATION AND ORDER RESETTNG
	)	DATE FOR PRELIMINARY HEARING
vs.	)	
	)	
LEONARD DEW,	)	
	)	
Defendant.	)	
_____	)	

IT IS HEREBY STIPULATED between the plaintiff through its attorney, Maureen Bessette, and the defendant through his attorney Ned Smock, that the preliminary hearing in this matter now set for October 29, 2008 at 10:00 a.m. shall be reset for November 18, 2008 at 10:00 a.m. The parties are engaged in discussions about possible resolution of the case. Mr. Dew is out of custody. Additional time is needed to perform investigation and research as those discussions continue. Defendant Dew and his counsel waive the provisions of Rule 5.1(c) of the Federal Rules of Criminal Procedure requiring a preliminary hearing to be held within 20 days of his initial appearance and 18 U.S.C. § 3161(b) requiring an indictment to be filed within thirty days from the date of arrest.

1 IT IS SO STIPULATED:

2 Dated: October 24, 2008

/s/ Ned Smock  
NED SMOCK  
Assistant Federal Public Defender


5 Dated: October 24, 2008

/s/ Maureen Bessette  
MAUREEN BESSETTE  
Assistant United States Attorney

8 **ORDER**

9 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the preliminary  
10 hearing in this matter now scheduled for October 29, 2008 is hereby rescheduled for November  
11 18, 2008 at 10:00 a.m.

13 Dated: October 27, 2008

  
HONORABLE WAYNE D. BRAZIL  
United States Magistrate Judge